

Counties: House bills Nos. 265, 225, 371, 210.

Judicial Districts: House bill No. 327.

Criminal Jurisprudence: Senate bills Nos. 44, 76, House bills Nos. 359, 366.

Public Lands and Buildings: House bills Nos. 317, 248.

Education: House bills Nos. 347, 255, 384, 367, 336, 271, Senate bills Nos. 133, 304.

Stock and Stock Raising: House bills Nos. 226, 132.

Public Health: House bill No. 362.

Banks and Banking: House bill No. 291.

Appropriations: House bill No. 184.

Agriculture: House bills Nos. 311, 355.

Education: House bill No. 271.

The following standing committees filed adverse reports today on bills, as follows:

Education: House bill No. 153.

Common Carriers: House bill No. 116.

Agriculture: House bills Nos. 379, 553.

REPORT OF COMMITTEE ON EN- GROSSED BILLS.

Committee Room,
Austin, Texas, February 7, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 183, A bill to be entitled "An Act to amend Sections 2, 11, 13, 14, 15, 25 and 30, of Chapter 4, of the Special Laws of the Regular Session of the Thirty-fifth Legislature, entitled 'An Act to create a more efficient road law for Llano county, Texas, and to provide for the appointment of a superintendent of public roads, highways and bridges for Llano county, and to provide his qualifications, terms of office and salary, defining his duties and powers, and providing for punishment for violation of his duties; providing certain duties and powers of the commissioners court of said county, and fixing the compensation of the commissioners for inspecting the roads in their respective precincts; providing for the appointment of road overseers, defining their duties, fixing their compensation for certain labor, and providing for punishment for violation of their duties; providing for persons subject to road duty in Llano county, and persons summoned to work

the roads in said county to have the right to be relieved from the discharge of such duties upon the payment of specific sums of money herein stipulated, and providing for the accounting for and disposition to be made of the money so paid, and declaring an emergency."

H. B. No. 247, A bill to be entitled "An Act creating a more efficient road system for Tyler county, Texas; providing that each commissioner of the same shall be ex-officio road commissioner of his precinct; providing for an inspection of roads, bridges and culverts by said commissioner; providing for bonds, compensation and duties, and providing for the work of delinquent poll tax payers on the public roads and relieving them from the performance of said road work by the payment of \$5.00; providing that the commissioners court shall have power to build roads, bridges, culverts, etc., by private contract; providing that the commissioners court may employ a superintendent who shall be an experienced civil engineer in road building; providing penalties for the violation of this act, and this act shall be cumulative of all general laws of this State not in conflict herewith; repealing Chapter 82, Special Laws, passed by the Thirty-second Legislature, and declaring an emergency."

H. B. No. 330, A bill to be entitled "An Act creating the Laneville Independent School District of Rusk county; defining its boundaries; vesting it with the rights, powers, duties and privileges of districts incorporated for school purposes only under the general laws; providing for a board of trustees therefor, and declaring an emergency."

And find the same correctly engrossed.

SNEED, Chairman.

TWENTIETH DAY.

(Continued.)

(Tuesday, February 8, 1921.)

The House met at 10 o'clock a. m., and was called to order by Speaker Thomas.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Johnson of Ellis:

H. B. No. 380, A bill to be entitled "An Act to amend Chapter 2 of Title 98, Revised Statuts of Texas, 1911, by adding thereto Article 6057a, providing that in addition to other methods provided in said chapter for the removal of officers they may be removed by quo warranto proceedings brought by the Attorney General upon direction of the Governor, making the provisions of said chapter applicable to proceedings hereunder, except where in conflict; providing that the district judge may temporarily suspend an officer against whom the petition is filed and appoint a person to discharge the duties of the office who shall not be required to give bond as provided in Article 6049; providing that the suspended officer shall receive the salary, compensation or fees until final judgment removing him, and that such salary, fees or compensation collected by the temporary officer shall be paid to the suspended officer and that during appeal from a judgment removing an officer such salary, fees and compensation shall not be received by him unless he give a supersedeas bond therefor, and that an appeal shall not suspend the order temporarily removing such officer; providing that the temporary officer shall receive the same salary or compensation provided by law to be paid by the State out of an appropriation to the Governor for the enforcement of the law; conferring jurisdiction and venue upon the district court of Travis county, and declaring an emergency."

Referred to Judiciary Committee.

By Mr. O. B. Black of Bexar and Mr. Morris of Medina:

H. B. No. 381, A bill to be entitled "An Act to provide for making the State a party to all divorce suits, and for the representation thereof by the district attorney or by special attorney in cities of over thirty thousand inhabitants, and for the appointment of such special attorney and the compensation for such services, and regulating the procedure in such cases, giving the court, or judge thereof, power to decree permanent alimony for the wife until she remarries and to the children until they reach the age of eighteen years, and prohibiting the remarriage of any person against whom a decree for divorce is granted within certain periods, and giving the State the right to appeal, and regulating the method of such appeal."

Referred to Judiciary Committee.

By Mr. Greer:

H. B. No. 382, A bill to be entitled "An Act conferring certain powers upon the commissioners courts of the counties of the State of Texas, and authorizing said court under such regulations as they may prescribe to appropriate and use any sums of money they deem advisable for farm demonstration and home economics work in their respective counties, and prescribing that they may conduct such work separately from, or jointly with, either the State Department of Agriculture or the Extension Service of the Agricultural and Mechanical College of the State of Texas, and providing for the qualification of such agents who may be selected to perform such work as is herein provided; and also providing for the location of the offices of such agents, and prohibiting any contribution or aid for the payment of the salaries of such agents from any other than from public funds; and providing for the expenses of such agents, and for the emergency clause."

Referred to Committee on Agriculture.

By Mr. Cox:

H. B. No. 383, A bill to be entitled "An Act to amend Section 12, of Chapter 14, of the General Laws of the Third Called Session of the Thirty-sixth Legislature and known as House bill No. 11, approved June 12, 1920, to provide that the amount authorized to be paid out of the general revenue shall never exceed the sum of twenty thousand dollars in any one calendar year, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Rogers of Shelby, Mr. Crawford and Mr. Webb:

H. B. No. 384, A bill to be entitled "An Act reorganizing and adjusting the Fourth and Seventy-first Judicial Districts of Texas, incorporating Gregg county in the Seventy-first Judicial District and fixing the time of holding court in each of the several counties of said two districts, and providing for the proper administration of said courts."

Referred to Committee on Judicial Districts.

By Mr. Harrison:

H. B. No. 385, A bill to be entitled "An Act to amend Section 2 of Chapter 64 of the Acts of the Second Called Session of the Thirty-sixth Legislature, to provide that the county attorney of each

county in the State, or district attorneys in counties having no county attorney, shall file suit for the collection of taxes delinquent against any lands or lots situated in such county, together with the interest, penalties and costs then due, as soon as practicable after the expiration of ninety days from the date of the notice mailed to the delinquent owner thereof by the tax collector, under the provisions of this act; and providing the manner, time and method of collecting taxes, penalties, interest and costs due against and in respect to lands and lots appearing on list furnished by the tax collector to the county or district attorney, and exempting all fees received by the several officers receiving fees under and by virtue of this bill from the provisions of the fee bill; and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Hall:

H. B. No. 386, A bill to be entitled "An Act to amend Article 3879, Revised Civil Statutes, 1911, relating to the right and compensation of public weighers, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Stewart of Edwards:

H. B. No. 387, A bill to be entitled "An Act to validate certain sales of certain public free school lands sold to purchasers by the State on September 22, 1905, January 8, 1906, and September 5, 1907, and declaring an emergency."

Referred to Committee on Public Lands.

By Mr. Horton:

H. B. No. 388, A bill to be entitled "An Act to provide for organized co-operation with the Parent-Teacher Associations of the State, in child welfare work with children of school age, to be administered through the State Department of Education in co-operation with an advisory council of the State Parent-Teacher Association and Mothers' Congress; defining the duties of the child welfare division; prescribing the method of appointment of the advisory council, limiting the length of term of its members, defining its duties and making an appropriation for the establishment of the child welfare division and the carrying on of its work."

Referred to Committee on Education.

By Mr. Stewart of Edwards:

H. B. No. 389, A bill to be entitled "An Act to amend Chapter 60 of the State of Texas, passed at the Regular Session of the Thirty-fifth Legislature of the State of Texas, and being an act supplementing the act creating the Live Stock Sanitary Commission for the State of Texas, and which is known as the eradication of cattle ticks law, so that hereafter Kerr, Real and Bandera counties in the State of Texas shall be placed in Zone No. 3, instead of Zone 2, as heretofore, and declaring an emergency."

Referred to Committee on Stock and Stock Raising.

By Mr. Morris of Montague:

H. B. No. 390, A bill to be entitled "An Act creating the Saint Jo Independent School District in Montague county, Texas, out of the territory known as the Saint Jo Independent School District in said county, defining its boundaries and providing for the election of trustees therefor, and authorizing the board of trustees to levy, assess and collect special taxes; conferring upon the board of trustees plenary powers; providing authority to issue bonds for the purposes of purchasing building sites, and erecting, furnishing and equipping school buildings within the said district; to levy taxes therefor, and to pay current expenses for the support and maintenance of said school; providing for a board of equalization, and prescribing the duty and authority of said board, and further prescribing the duty and authority of said board of trustees, and declaring an emergency."

Referred to Committee on Education.

By Mr. Stewart of Edwards, Mr. Mathes, Mr. Leslie, Mr. Baldwin, Mr. O. B. Black of Bexar, Mr. Pope and Mr. Stewart of Reeves:

H. B. No. 391, A bill to be entitled "An Act appropriating the sum of \$50,000 to each of certain counties in this State to constitute a permanent school fund for the benefit of the public schools in such counties; making such appropriations in lieu of any and all appropriations of public lands for county school purposes to which any of said counties may be entitled under existing law; providing for the investment of such funds; providing for the management and control of the funds herein appropriated to any unorganized county, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Baldwin:

H. B. No. 392, A bill to be entitled "An Act amending Article 7059a, Title 120, Revised Civil Statutes of the State of Texas, relating to the traveling and other expenses of district judges, district attorneys, and judges of the Criminal District Court of Harris and Galveston counties when in the discharge of their official duties; providing for the payment thereof by the State on sworn accounts; providing that all such accounts shall be recorded in the minutes of the district court of the county where such district judge or district attorney shall reside and declaring an emergency."

Referred to Judiciary Committee.

By Mr. Wright:

H. B. No. 393, A bill to be entitled "An Act levying an occupation tax based upon gross receipts upon each individual, company, corporation or association owning, operating, or managing or controlling a kinetoscope, or cinematograph, or similar machine or instrument used to exhibit pictures, for profit and commonly known as 'Moving Picture Shows,' which shows the life-like motion of persons, animals, or other objects, doing business in this State; providing for the levying said occupation tax based upon gross receipts upon a graduated scale according to the population of the village, town or city where said business is situated; defining the percentage of such tax and that the United States census shall determine the population of the village, town or city where such business is conducted; for certain verified statements to be made quarterly to the Comptroller of Public Accounts and for the payment to the State Treasurer of an occupation tax which shall be placed to the credit of the available school fund; for the repeal of Section thirty-six (36) of Article seventy-three fifty-five (7355) of the Revised Civil Statutes of Texas of 1911, and repealing all laws in conflict herewith, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. West:

H. B. No. 394, A bill to be entitled "An Act to amend Subdivision 60 of Article 1121, of Chapter 2, Title 25, Revised Civil Statutes of Texas, 1911, so as to permit corporations chartered un-

der the provisions of said subdivision to also acquire, hold and operate motor vehicles, either with or without tracks, for the transportation of freight or passengers for hire from and to any point or points in and adjacent to the cities or towns within and through which said company operates."

Referred to Committee on Municipal and Private Corporations.

By Mr. Thompson of Red River:

H. B. No. 395, A bill to be entitled "An Act to repeal Sections 1, 2, 3 and 4, of Chapter 39, Acts of 1919, Second Called Session of the Thirty-sixth Legislature of Texas, and providing that all white insane patients now confined in the East Texas Hospital for Insane at Rusk, Texas, be immediately removed, and that the Northwest Insane Asylum at Wichita Falls, Texas, be immediately opened for the admission of insane patients, and that all negro insane patients now confined in the asylums at Austin, Texas, Terrell, Texas, and San Antonio, Texas, be immediately removed to the insane asylum at Rusk, Texas, and that the name of the East Texas Hospital for the Insane at Rusk, Texas, be changed to the Hospital for Negro Insane, and making an appropriation to carry this act into effect."

Referred to Committee on State Eleemosynary and Reformatory Institutions.

By Mr. Thompson of Red River:

H. B. No. 396, A bill to be entitled "An Act to amend Section 15, Chapter 9, of the Second Called Session of the Thirty-fifth Legislature of Texas, the same being 'An Act to create a special road law for Red River county'; providing in said amendment that the county surveyor of Red River county, Texas, shall be ex-officio county road superintendent for said county, and requiring a bond."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Thompson of Red River:

H. B. No. 397, A bill to be entitled "An Act to amend Article 7234, Revised Civil Statutes of the State of Texas, 1911, as amended by Act of 1907, page 150, and Acts of 1915, Chapter 133, Section 1, providing that any person, firm or corporation owning land adjoining territory that has adopted the law prohibiting the running at large of horses, mules, jacks, jennets and cattle or that has adopted the law prohibiting the running at large of hogs, sheep and goats

or has adopted the law prohibiting the running at large of horses, mules, jacks, jennets, cattle, hogs, sheep and goats, so that on the petition of the owner or owners of said land to the commissioners court the said commissioners court shall issue an order extending the stock law to said territory and the same shall be included in the territory of such adjoining subdivision; and said territory so added shall have the same rights as the said subdivision to which it is attached as to such stock as enumerated in said petition for annexation to said territory and any territory that asks to be annexed to any territory that has been annexed shall have the same rights as the original territory as to stock set out in petition, and declaring an emergency."

Referred to Committee on Stock and Stock Raising.

By Mr. Malone:

H. B. No. 398, A bill to be entitled "An Act authorizing cities of over fifty thousand inhabitants to amend their charters by a majority vote of the qualified voters of said city, so as to extend their corporate limits to include adjoining and contiguous territory, where the annexed territory does not include any city or town of more than five thousand inhabitants; providing for the abolishment of the incorporation of any such annexed city or town having less than two thousand inhabitants, the abolishing of the offices thereof; providing of the assumption of the outstanding liabilities against the territory against the territory annexed; providing how any special funds on hand of such annexed city or town shall be applied; providing for the collection of all claims, debts and taxes due to said annexed territory; repealing all laws in conflict with this act, and declaring an emergency."

Referred to Committee on Municipal and Private Corporations.

By Mr. Looney:

H. B. No. 399, A bill to be entitled "An Act to amend Article 4746, of Chapter 2, Title 71, of the Revised Civil Statutes of 1911, of the State of Texas, and to incorporate therein and to subject to the penalties therein prescribed fire, marine, inland, lightning, tornado, indemnity or other insurance company or companies issuing policies or contracts of insurance or indemnity, and to declare an emergency."

Referred to Committee on Insurance.

By Mr. Morgan:

H. B. No. 400, A bill to be entitled

"An Act repealing all of Chapter 3, Title 71, of the Revised Statutes of Texas, of 1911, said Chapter 3 containing Articles 4775, 4776, 4777, 4778, 4779, 4780, 4781, 4782, 4783, 4784, 4785, 4786, 4788, 4789 and 4790, requiring the investment in Texas securities and taxation of gross receipts of insurance companies and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Duffey:

H. B. No. 401, A bill to be entitled "An Act authorizing a public weigher to be elected by any county in this State desiring such a weigher, said public weigher to be such for the entire county; providing for deputies, and declaring an emergency."

Referred to Committee on State Affairs.

By Mr. Duffey:

H. B. No. 402, A bill to be entitled "An Act authorizing counties in this State to hold elections to determine whether persons owning or in charge of land adjacent to the public roads in such county shall be required to fence such land on such road in order to prevent live stock being driven along the road from entering upon said lands, and declaring an emergency."

Referred to Committee on Stock and Stock Raising.

By Mr. Baker:

H. B. No. 403, A bill to be entitled "An Act to amend Article 4746, of Chapter 2, of Title 71, of the Revised Civil Statutes of 1911 of the State of Texas, and to incorporate therein and to subject to the penalties therein prescribed fire, marine, inland, lightning, tornado, indemnity or other insurance company or companies issuing policies or contracts of insurance or indemnity, and to declare an emergency."

Referred to Committee on Insurance.

By Mr. Rogers of Shelby, Mr. Cox, Mr. Satterwhite, Mr. Harrison and Mr. Johnson of Ellis:

H. B. No. 404, A bill to be entitled "An Act authorizing the State Board of Health to procure diphtheria antitoxin and vaccine lymph for the free use of people of the State upon whom the purchase thereof would impose a hardship; providing for the distribution of said antitoxines and vaccine lymph by the State Board of Health to the beforementioned persons upon the recommendation of the attending physician."

Referred to Committee on Public Health.

By Mr. Wallace:

H. B. No. 405, A bill to be entitled "An Act to amend Article 6973, of Chapter 6, of Title 119, of the Revised Civil Statutes of Texas of 1911, requiring delinquent poll taxpayers to work on the public roads, so as to make same applicable only to delinquent male poll taxpayers, and declaring an emergency."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Adams:

H. B. No. 406, A bill to be entitled "An Act to provide adequate punishment for any person who shall engage or act in the capacity of a locomotive engineer, or train conductor, or train flagman, upon any railroad in the State of Texas without having first served three (3) years as a locomotive fireman, or engineer, or if engaged as a conductor or as train flagman on any railroad in this State he shall be punished as herein provided if he engages to so act without first having served two (2) years as a brakeman, fireman, engineer or conductor, or one (1) year as brakeman, fireman, engineer, conductor or yard switchman of a freight train or in yard switching; to punish any one who shall knowingly engage, promote, require, persuade, prevail upon or cause any person to do any act in violation of this act, but exempting lines operating of less than twenty-five (25) miles in length from the operation of this act."

Referred to Committee on Criminal Jurisprudence.

By Mr. Perkins of Cherokee, Mr. Swann and Mr. Crawford:

H. B. No. 407, A bill to be entitled "An Act licensing and regulating commission merchants; amending Article 3828 of the Revised Civil Statutes of the State of Texas of the Regular Session of the Thirty-third Legislature, and adding thereto Articles 3828a and 3828b; defining commission merchants; requiring commission merchants to take out license issued by the Commissioner of Agriculture; prescribing the contents and form of the application for such licenses, and the manner and means of making such application; prescribing to whom such licenses may be issued; providing for the applicant to furnish bond acceptable to the Commissioner of Agriculture; prescribing the fee for such licenses and the disposition thereof after collection; prescribing the obligation,

force and effect of the bond or bonds mentioned above; requiring commission merchants to make report to the Commissioner of Agriculture; prescribing the method of doing business by such commission merchants; authorizing the Commissioner of Agriculture or his agents to examine the books, records and sales tickets of commission merchants; providing forfeiture and cancellation of licenses for refusal to permit such Commissioner to make such investigation; providing for the reinstatement of licenses cancelled under certain circumstances; requiring commission merchants to faithfully carry out contracts and agreements, and promptly crate, classify and sell products received by them, to be sold for the account of the shipper and make prompt returns thereof, and fixing the rate of commission therefor; further regulating the conduct of commission merchants with respect to shipments of produce; prescribing the duties of the Commissioner of Agriculture and of his agents or representatives with respect to shipments received in bad order; prescribing a penalty for commission merchants doing business without licenses or violating any provision of this act; providing for damages to be recovered by any shipper or consignor who is damaged or defrauded by any commission merchant, and prescribing venue for such suits; making this law cumulative of all laws providing for damages in suits of this character, and declaring an emergency."

Referred to Committee on Agriculture.

By Mr. Miller of Dallas:

H. B. No. 408, A bill to be entitled "An Act to regulate the business of insurance made on what is known as the Lloyds plan, and declaring an emergency."

Referred to Committee on Insurance.

By Mr. Laird:

H. B. No. 409, A bill to be entitled "An Act to create a more efficient road system for Angelina county, making county commissioners ex-officio road commissioners, requiring additional bonds, providing for the improvement and building of roads and bridges by contract; providing that funds be used in precinct where collected; providing hours for labor; providing for the working of county convicts on the roads; prescribing the duties of road overseers; providing for the payment of a specified sum of money in lieu of road work; providing a penalty for overseers who fail or refuse to perform

their duties under this law; providing a penalty for road hands who fail or refuse summons to do good road work; providing for reports by road overseers; providing for the condemnation of land for road purposes; providing for compensation of county commissioners when acting as road commissioners; providing for the issuance of bonds for road and bridge purposes and for levying taxes after an election favoring same; providing for the levying and collecting of a special road and bridge tax; providing for the work of a road by either road service or taxation, or both; providing that the road overseer may collect from the road hands and requiring that the money be used on roads where collected, and providing a penalty for failure of such overseer to comply with the provisions of this act; providing that the provisions of this act shall be cumulative of all general laws on the subject of roads and bridges; repealing all laws and parts of laws in conflict with this act."

Referred to Committee on Roads, Bridges and Ferries.

By Mr. Miller of Dallas:

H. B. No. 410, A bill to be entitled "An Act to empower all duly incorporated State bank and trust companies organized under the banking laws of this State as agent or otherwise in soliciting for insurance of any kind whatever, and to aid in the transaction of the business of any insurance company or association authorized to do an insurance business in Texas; providing for the issuance of licenses to such bank and trust companies by the Commissioner of Insurance and Banking to act as such insurance agents; repealing laws and parts of laws in conflict herewith, and declaring an emergency."

Referred to Committee on Insurance.

HOUSE JOINT RESOLUTION ON FIRST READING.

The following House Joint Resolution, introduced today, was laid before the House, read first time, and referred to the appropriate committee as follows:

By Mr. Pollard:

H. J. R. R. No. 21, Proposing an amendment to Article 16 of the Constitution of Texas by striking out Section 21 of said article and substituting in lieu thereof a new Section 21 authorizing the Legislature to establish a State Printing Press, Bindery and Stationery Department and do its own

printing, binding and furnishing of stationery for use in the State government and to furnish stationery to counties, municipalities and political subdivisions of this State, and providing that until this is done the matters and things provided for in said Section 21 shall be done and furnished under contract; providing that the proclamation shall be issued and the election held for said amendment and make an appropriation so that said election may be held.

Referred to Committee on Constitutional Amendments.

SENATE BILLS ON FIRST READING.

The following Senate bills, received from the Senate today, were laid before the House, read severally first time, and referred to the appropriate committees as follows:

Senate bill No. 43, to the Committee on Criminal Jurisprudence.

Senate bill No. 72, to the Judiciary Committee.

Senate bill No. 104, to the Committee on Criminal Jurisprudence.

Senate bill No. 39, to the Committee on State Affairs.

Senate bill No. 27, to the Judiciary Committee.

Senate bill No. 66, to the Committee on Public Health.

Senate bill No. 54, to the Judiciary Committee.

Senate bill No. 118, to the Judiciary Committee.

Senate bill No. 123, to the Committee on Eleemosynary Institutions.

Senate bill No. 120, to the Committee on Insurance.

Senate bill No. 48, to the Committee on State Affairs.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, February 8, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has refused to pass to engrossment

S. B. No. 24, A bill to be entitled "An Act to amend Article 1428, Title 17, Chapter 18, Penal Code of Texas, relating to obtaining board or lodging or anything of value under false pretenses, drawing or delivering any check, draft or order to defraud; fixing penalty; providing that certain facts shall be prima facie evidence: making the law cumulative, and declaring an emergency."

S. B. No. 60. A bill to be entitled "An Act restricting and limiting the publication of decisions issuing from the Courts of Civil Appeals, requiring each of said courts, upon rendering any opinion, to endorse thereon whether or not said opinion is to be officially reported for publication; making it unlawful to publish, sell or own any book or bound volume containing decisions not designated for publication."

And has adopted the unfavorable minority report on

S. B. No. 50. A bill to be entitled "An Act repealing Chapter 191 of the Thirty-fifth Legislature, passed at its Regular Session in 1917 and being entitled 'An Act to provide for the establishment, maintenance and government of two State normal schools, providing for the location of same, and declaring an emergency'; canceling and annulling all acts done in pursuance of said Chapter 191; providing for a committee to report for repayment of moneys paid out by order of any of the officers, agents or employes of the State by virtue of the authority of said Chapter 191, by the towns in which said colleges may have been located; providing for the payment of said moneys and the expenses of said committee, and declaring an emergency."

Respectfully,

A. W. HOLT,

Assistant Secretary of the Senate.

MESSAGE FROM THE SENATE.

Senate Chamber.

Austin, Texas, February 8, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 48. A bill to be entitled "An Act to fix a uniform date on which county and precinct officers shall qualify and take over the duties of their respective offices, following their election, and to repeal all laws in conflict herewith, and declaring an emergency."

S. B. No. 120. A bill to be entitled "An Act amending Chapter 15 of the General Laws of the State of Texas passed by the Thirty-sixth Legislature at its Regular Session, entitled 'An Act providing that the interest of a mortgagee or trustee under any fire insurance policy shall not be invalidated by any act or neglect of the mortgagor or owner of the property insured by said policy or the happening of any condi-

tion beyond his control, and declaring void any stipulation in any fire insurance policy contract in conflict herewith,' and declaring an emergency."

Respectfully,

A. W. HOLT,

Assistant Secretary of the Senate.

BILL AND RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed, in the presence of the House, after giving due notice thereof, and their captions had been read severally, the following enrolled bill and resolution:

H. C. R. No. 14, Extending thanks of the Legislature to the citizens of Denton.

H. B. No. 6, "An Act to amend Article 4081 of the Revised Civil Statutes of the State of Texas, so as to provide for the appointment of a guardian of a person of unsound mind or an habitual drunkard on a hearing before the court, without the necessity of a jury trial, which will be granted if requested as set out in Title 64, Chapter 16, Revised Civil Statutes of the State of Texas, providing for 'Guardianship of Persons of Unsound Mind and Habitual Drunkards,' and validating all appointments heretofore made without a jury trial."

PROVIDING FOR DRINKING CUPS.

Mr. Teer offered the following resolution:

Whereas, The glasses now being used for drinking purposes are used by many different people, and

Whereas, There is danger of conveying disease germs from one person to another, and

Whereas, It is unsanitary and endangers the health of the members and employes of the House; be it

Resolved, That the Sergeant-at-Arms be instructed to remove the glasses and install holders for sanitary drinking cups and to keep the said holders filled with a sufficient supply of cups for use of the House.

The resolution was read second time, and was adopted.

RELATING TO ADDRESS BY JUDGE RAMSEY.

Mr. John Davis of Dallas offered the following resolution:

Whereas, The House of Representatives heretofore invited the Hon. W. F. Ramsey to deliver an address in the House Chamber on Tuesday night, February 8, at 7:30 p. m., and we are now

informed that Judge Ramsey cannot be here Tuesday evening, but will accept an invitation and make an address Wednesday, February 9, at 7:30 p. m.; therefore, be it

Resolved, That we hereby extend an invitation to Judge W. F. Ramsey to deliver an address in the Chamber of the House of Representatives at 7:30 p. m. Wednesday, February 9, 1921, on subject matter suggested in previous resolution.

The resolution was read second time, and was adopted.

HOUSE BILL NO. 298 ON ENGROSSMENT.

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 298, A bill to be entitled "An Act to amend Article 5246f, Chapter 4, Title 77, Revised Civil Statutes of Texas, so as to permit employers and employes in contracts between the State, and political subdivisions of the State, to contract as to the hours of labor to be performed per day."

The bill having heretofore been read second time, with amendment by Mr. Fly, and substitute by Mr. Curtis for the amendment, pending.

Question first recurring on the substitute, it was adopted.

The amendment as substituted was then adopted.

Mr. John Davis of Dallas offered the following amendment to the bill:

Amend House bill No. 298, as amended, by striking out all after the word "such," line 2, down to and including the word "pay," line 6, page 2.

Mr. Fly offered the following substitute for the amendment:

Substitute the amendment, page 2, line 6, by striking out the words "or the rates of pay" and insert "at the rates of pay as herein provided."

(Mr. Jones in the chair.)

Mr. John Davis of Dallas offered the following amendment to the bill:

Amend House bill No. 298 as amended by striking out the enacting clause.

Question first recurring on the amendment by Mr. John Davis of Dallas, striking out the enacting clause of the bill, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—51.

Adams.	Baldwin.
Aiken.	Barrett of Fannin.
Baker.	Beavens.

Black, O. B., of Bexar.	Kveton.
Black, W. A., of Bexar.	Lackey.
Bonham.	Lauderdale.
Bryant.	Lawrence.
Burmeister.	Malone.
Burns.	Martin.
Chitwood.	Mathes.
Crawford.	Miller of Dallas.
Crumpton.	Miller of Parker.
Cummins.	Morgan.
Curtis.	Moore.
Darroch.	Morris of Medina.
Davis, John E., of Dallas.	Neblett.
Davis, John, of Dallas.	Owen.
Greer.	Patman.
Hall.	Pollard.
Harrington.	Pool.
Harrison.	Quinn.
Henderson of Marion.	Rice.
Hendricks.	Schweppe.
Jones.	Sims.
	Wadley.
	Walker.
	Wallace.
	Williams of Montgomery.

Nays—65.

Barker.	Melson.
Barrett of Bell.	Menking.
Bass.	Merriman.
Beasley of Hopkins.	Morris of Montague.
Beasley of McCulloch.	Mott.
Branch.	Neinast.
Burkett.	Perkins of Cherokee.
Carpenter.	Perry.
Childers.	Pope.
Coffee.	Quaid.
Cox.	Quicksall.
Duffey.	Rogers of Shelby.
Duncan.	Rowland.
Edwards.	Seagler.
Estes.	Shearer.
Faubion.	Smith.
Fly.	Sneed.
Grissom.	Stephens.
Hanna.	Stevenson.
Hardin.	Stewart of Edwards.
Henderson of McLennan.	Stewart of Reeves.
Hill.	Swann.
Johnson of Wichita.	Sweet of Brown.
Kacir.	Teer.
Kellis.	Thompson of Harris.
Laird.	Thompson of Red River.
Laney.	Thrasher.
Lindsey.	Veatch.
Looney.	Wessels.
McCord.	Williams of McLennan.
McFarlane.	Wright.
McLeod.	
Marshall.	

Present—Not Voting.

Garrett.

Absent.

Brown.	Rountree.
Dinkle.	Satterwhite.
Horton.	Sweet of Tarrant.
Johnson of Ellis.	Thomason.
King.	Thorn.
Leslie.	Webb.
McKean.	West.
Perkins of Lamar.	

Absent—Excused.

Binkley.	Rogers of Harris.
Brady.	Rosser.
Fugler.	Thomas
Johnson	of Limestone.
of Gillespie.	Westbrook.
McDaniel.	

Mr. Williams of McLennan moved the previous question on the pending amendments and engrossment of the bill, and the main question was ordered.

Question first recurring on the substitute, it was adopted.

Question next recurring on the amendment as substituted, yeas and nays were demanded.

The amendment as substituted was adopted by the following vote:

Yeas—61.

Aiken.	Looney.
Barker.	McCord.
Barrett of Bell.	McFarlane.
Bass.	McLeod.
Beasley	Melson.
of Hopkins.	Merriman.
Beasley	Morris
of McCulloch.	of Montague.
Bonham.	Mott.
Branch.	Owen.
Burkett.	Perkins
Carpenter.	of Cherokee.
Childers.	Pope.
Crawford.	Quicksall.
Dinkle.	Rogers of Shelby.
Duncan.	Rowland.
Edwards.	Sims.
Estes.	Sneed.
Faubion.	Stephens.
Fly.	Stevenson.
Garrett.	Stewart
Grissom.	of Edwards.
Hanna.	Stewart of Reeves.
Henderson	Swann.
of McLennan.	Sweet of Brown.
Hill.	Teer.
Johnson	Thompson
of Wichita.	of Harris.
Kellis.	Thompson
Lackey.	of Red River.
Laird.	Thrasher.
Laney.	Veatch.
Lindsey.	Webb.

Wessels.
West.Williams
of McLennan.
Wright.

Nays—55.

Adams.	Hendricks.
Baker.	Jones.
Baldwin.	Kacir.
Barrett of Fannin.	Kveton.
Beavens.	Lauderdale.
Black, O. B.,	Lawrence.
of Bexar.	Malone.
Black, W. A.,	Martin.
of Bexar.	Marshall.
Bryant.	Mathes.
Burmeister.	Menking.
Burns.	Miller of Dallas.
Chitwood.	Miller of Parker.
Coffee.	Morgan.
Cox.	Moore.
Crumpton.	Morris of Medina.
Cummins.	Neblett.
Curtis.	Patman.
Darroch.	Perry.
Davis, John E.,	Pollard.
of Dallas.	Quaid.
Davis, John,	Quinn.
of Dallas.	Rice.
Duffey.	Schweppe.
Greer.	Seagler.
Hall.	Shearer.
Hardin.	Wadley.
Harrington.	Walker.
Harrison.	Wallace.
Henderson	Williams
of Marion.	of Montgomery

Absent.

Brown.	Pool.
Horton.	Rountree.
Johnson of Ellis.	Satterwhite.
King.	Smith.
Leslie.	Sweet of Tarrant.
McKean.	Thomason.
Neinast.	Thorn.
Perkins of Lamar.	

Absent—Excused.

Binkley.	Rogers of Harris.
Brady.	Rosser.
Fugler.	Thomas.
Johnson	of Limestone.
of Gillespie.	Westbrook.
McDaniel.	

Question then recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 298 was passed to engrossment by the following vote:

Yeas—63.

Aiken.	Bass.
Barker.	Beasley
Barrett of Bell.	of Hopkins.
Barrett of Fannin.	

Beasley of McCulloch.	Morris of Montague.
Branch.	Mott.
Burkett.	Owen.
Carpenter.	Perkins
Childers.	of Cherokee.
Crawford.	Pope.
Duffey.	Quicksall.
Duncan.	Rogers of Shelby.
Edwards.	Rountree.
Estes.	Rowland.
Fly.	Satterwhite.
Garrett.	Sims.
Grissom.	Sneed.
Hanna.	Stephens.
Hardin.	Stevenson.
Henderson	Stewart
of McLennan.	of Edwards.
Hill.	Stewart of Reeves.
Johnson	Swann.
of Wichita.	Sweet of Brown.
Keilis.	Teer.
Lackey.	Thompson
Laird.	of Harris.
Laney.	Thompson
Lindsey.	of Red River.
Looney.	Thrasher.
McCord.	Veatch.
McFarlane.	Webb.
McKean.	Wessels.
McLeod.	Williams
Melson.	of McLennan.
Menking.	Wright.

Nays—54.

Adams.	Hendricks.
Baker.	Jones.
Baldwin.	Kacir.
Beavens.	Kveton.
Black, O. B.,	Lauderdale.
of Bexar.	Lawrence.
Black, W. A.,	Malone.
of Bexar.	Martin.
Bonham.	Marshall.
Bryant.	Mathes.
Burmeister.	Miller of Dallas.
Burns.	Miller of Parker.
Chitwood.	Morgan.
Coffee.	Moore.
Cox.	Morris of Medina.
Crumpton.	Neblett.
Cummins.	Patman.
Curtis.	Perry.
Darroch.	Pollard.
Davis, John E.,	Quinn.
of Dallas.	Rice.
Davis, John,	Schweppe.
of Dallas.	Seagler.
Dinkle.	Shearer.
Greer.	Wadley.
Hall.	Walker.
Harrington.	Wallace.
Harrison.	West.
Henderson	Williams
of Marion.	of Montgomery.

Absent.

Brown.	Perkins of Lamar.
Faubion.	Quaid.
Horton.	Smith.
Johnson of Ellis.	Sweet of Tarrant.
King.	Thomason.
Leslie.	Thorn.
Neinast.	

Absent—Excused.

Binkley.	Rogers of Harris.
Brady.	Rosser.
Fugler.	Thomas
Johnson	of Limestone.
of Gillespie.	Westbrook.
McDaniel.	

Paired.

Mr. Merriman (present), who would vote "yea," with Mr. Pool (absent), who would vote "nay."

Mr. Williams of McLennan moved to reconsider the vote by which the bill was passed to engrossment, and to table the motion to reconsider.

The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber.

Austin, Texas, February 8, 1921.

Hon. Charles G. Thomas, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. B. No. 128. A bill to be entitled "An Act abolishing the office of Dairy and Food Commissioner of this State, and conferring the authority, powers, duties, functions, rights and liabilities of said commissioner upon the State Health Officer of the State; abolishing the Dairy and Food Department of this State and providing that the duties and functions of said department shall hereafter vest in the State Health Officer of this State, making available to the State Health Officer all appropriations heretofore made for the Dairy and Food Commissioner or the Dairy and Food Department, or the Pure Food and Drug Department of this State, to be used by said State Health Officer in the performance and exercise of the duties, authority, powers and functions herein transferred; authorizing the State Health Officer to dispense with any employe not needed after the consolidation herein authorized, and rearrange the work and duties of the office to avoid

duplication of work, and declaring an emergency."

Respectfully,
A. W. HOLT,
Assistant Secretary of the Senate.

INVITING HON. MARVIN BROWN TO ADDRESS THE HOUSE.

Mr. Hill offered the following resolution:

Whereas, The Hon. Marvin Brown, a former member of the House, is within the bar of the House; therefore, be it

Resolved, That he be accorded the privileges of the floor and be invited to address the House.

Signed—Hill, Curtis.

The resolution was read second time, and was adopted.

In accordance with the above action, the Speaker announced the appointment of Mr. Curtis, Mr. Hill, Mr. Malone and Mr. Adams as a committee to escort Mr. Brown to the Speaker's stand.

The committee having performed their duty, the Speaker presented Mr. Curtis, who introduced Mr. Brown to the House.

Mr. Brown then addressed the House.

NOTICE GIVEN.

Mr. West gave notice that he would on tomorrow call up for consideration at that time House bill No. 30, which bill has heretofore been laid on the table subject to call.

INVITING EBENEZER CHORAL CLUB TO SING.

Mr. Adams offered the following resolution:

Be it resolved, That the combined chorus of St. John's Institute and Orphanage and the Ebenezer Church, representing a fine collection of colored vocalists, be and the same are hereby invited to sing in the House of Representatives Thursday evening, February 17, 1921, at 7:30 p. m., and that the Senate is hereby invited to be with the House on that occasion and listen to old time Southern colored melodies.

The resolution was read second time, and was adopted.

ADJOURNMENT.

Mr. Beasley of McCulloch moved that the House adjourn until 2 o'clock p. m., Tuesday, February 8.

Mr. Williams of McLennan moved that the House recess to 2 o'clock p. m. today.

The motion of Mr. Beasley prevailed, and the House, accordingly, at 12 o'clock m., adjourned until 2 o'clock p. m., Tuesday, February 8.

TWENTY-FIRST DAY.

(Tuesday, February 8, 1921.)

The House met at 2 o'clock p. m., pursuant to adjournment, and was called to order by Speaker Thomas.

The roll was called and the following members were present:

Adams.	Harrington.
Aiken.	Harrison.
Baker.	Henderson
Baldwin.	of McLennan.
Barker.	Henderson
Barrett of Bell.	of Marion.
Barrett of Fannin.	Hendricks.
Bass.	Hill.
Beasley	Horton.
of Hopkins.	Johnson of Ellis.
Beasley	Johnson
of McCulloch.	of Wichita.
Beavens.	Jones.
Black, O. B.,	Kacir.
of Bexar.	Kellis.
Black, W. A.,	King.
of Bexar.	Lackey.
Bonham.	Laird.
Brady.	Laney.
Branch.	Lauderdale.
Bryant.	Lawrence.
Burkett.	Lindsey.
Burmeister.	Looney.
Burns.	McCord.
Carpenter.	McFarlane.
Childers.	McKean.
Chitwood.	McLeod.
Coffee.	Malone.
Cox.	Martin.
Crawford.	Marshall.
Crumpton.	Mathes.
Cummins.	Melson.
Curtis.	Menking.
Darroch.	Merriman.
Davis, John E.,	Miller of Dallas.
of Dallas.	Miller of Parker.
Davis, John,	Morgan.
of Dallas.	Moore.
Dinkle.	Morris of Medina.
Duffey.	Morris
Duncan.	of Montague.
Edwards.	Mott.
Estes.	Neblett.
Faubion.	Owen.
Fly.	Patman.
Garrett.	Perkins
Greer.	of Cherokee.
Grissom.	Perkins of Lamar.
Hall.	Perry.
Hanna.	Pollard.
Hardin.	Pope.